

REMARKS

In the Office Action mailed on August 12, 2004, the Examiner reviewed the above-identified U.S. Patent Application, with the results that claims 38-50 were rejected under 35 U.S.C. 103(a) as being unpatentable over McKaughan et al. in view of Crump et al. and in further view of Danford. In response, Applicant have amended claims 38, 41, 44, 45, and 47-50 as set forth above.

More particularly, independent claim 38 has been amended to more clearly recite that Applicant's Internet communication system relies additionally on keep-alive operating instructions to be stored in keep-alive memory circuitry of said offline remote communication device having a switchable main power-supply system that is deactivated for conserving energy in a keep-alive state; whereby said keep-alive operating instructions are provided for rendering said offline remote communication device communicable from said keep-alive state with said communication means in such a manner that at least the presence of said communication information is delivered to said offline remote communication device so as to allow said requested communication to be instantly established.

Independent claim 45 has been amended to more clearly recite that Applicant's method for enabling an Internet service provider to provide requested communications instantly relies further on an additional step of providing keep-alive operating instructions to be stored in keep-alive memory circuitry of said offline remote communication device having a switchable main power-supply system that is deactivated for conserving energy in a keep-alive state; whereby said keep-alive operating instructions are provided for rendering said offline remote communication device communicable from said keep-alive state with said communication means in such a manner that at least the presence of said communication information is delivered to said offline remote communication device so as to allow a requested communication to be instantly established.

Independent claim 49 has been amended to more clearly recite that Applicant's communication operating system for enabling an Internet communication system to provide requested communication links instantly relies additionally on a step of providing keep-alive operating instructions to be stored in keep-alive memory circuitry of said offline remote communication apparatuses each comprising a switchable main power-supply system that is deactivated for conserving energy in a keep-alive state, wherein said keep-alive operating instructions are rendered communicable from said keep-alive state with said Internet communication system; and on another step of communicating said keep-alive operating instructions from said keep-alive state with said Internet communication system in such a manner that at least the presence of said communication information is delivered to said offline remote communication apparatus so as to allow a requested communication to be instantly established.

The amendment now should place Applicant's amended claims 38-50 in a favorable position for Examiner's reconsideration of allowance for the reason that the additional element of the keep-alive operating instructions to be used in conjunction with the keep-alive memory circuitry for providing instant communications is unique as embodied in the fact that Applicant's claims 1-37 reciting keep-alive operating instructions in the parent patent application are allowed by the Examiner as U.S. Patent No. 6,658,576. Other

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facts to substantiate the uniqueness of the instant invention as amended to include Applicant's keep-alive operating instructions with keep-alive memory for eliminating the time-consuming conventional booting process and for establishing instant communications even from a sleep state, a keep-alive state, or a standby state, which is un-achievable by the conventional art, are embodied in Applicant's prior applications Sr. No. 09/028,032 now U.S. Patent No. 6,089,175 (lines 25-28 and 41-47) filed on Feb. 24, 1998 and Sr. No. 09/293,089 now U.S. Patent No. 6,341,354 (claim 1 column 13 and claim 30 column 17) filed on Apr. 16, 1999 for the first time, which are copending at one time with the parent invention.

Consequently, Applicant respectfully request the independent claims 38, 45, and 49 and their dependent claims of the instant invention having a narrow scope based on Applicant's prior U.S. Patent Nos. 6,089,175, 6,341,354 and 6,658,576 be allowed.

In contrast, a conventional computer (for serving as an exemplary communication device) controlled even by the latest conventional operating system such as Windows XP or Server 2003 in the power-off state is totally inaccessible unless being manually powered up and going through a time-consuming booting process. Furthermore, none of the conventional computers installed with any communication software program can be awakened from a keep-alive state nor from a standby or sleep state by any incoming instant message (for example, provided by Yahoo Messenger or Windows Messenger) nor any incoming email. In essence, a user cannot be even notified with the presence of an incoming message or email under the practice of the conventional art, regardless of the fact that the information technology is well matured to become a crowded art. The unobviousness of Applicant's instant invention is further strengthened by the inability of the latest 4.7 version of Windows Messenger developed in 2004 by Microsoft that is the same company of the assignee of McKaughan's patent issued in 1998, i.e., in spite of 6 years after, to provide none of Applicant's instant communications as recited in the amended 38-52. Therefore, neither state of the art nor McKaughan et al. nor Crump teaches the instant communications recited in Applicant's instant invention. Thus, Applicant's claims 38-50 as amended define patentable novelty and uniqueness over all the references of record.

It is thus respectfully believed that the rejection to Applicant's claim 38-50 under 35 U.S.C. §103(a) as being unpatentable over McKaughan et al. in view of Crump et al. and in further view of Danford is overcome.

New claim 51 has been added in order to further clearly recite that Applicant instant invention is to provide instant communications by alerting a user with an audio, video, and/or visual signal whenever there is an incoming instant message or email, as embodied in Applicant specification, specifically at lines 7 and 8 page 18. Another new claim 52 has been added to further clearly recite that Applicant instant invention is to further store the content of the communication information to the memory storage of the offline remote communication device/apparatus from the keep-alive state, so as to instantly provide the communication information even if the Internet is not accessible, as embodied in Applicant specification, specifically at lines 1-6 page 18.


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure, including U.S. Pat. No. 6,611,531 to Chen et al., U.S. Pat. No. 6,493,780 to Hsu, U.S. Pat. No. 6,591,368 to Ryu, U.S. Pat. No. 6,366,957 to Na, U.S. Pat. No. 6,182,146 to Graham-Cumming, Jr., U.S. Pat. No. 6,131,167 to Cruz, U.S. Pat. No. 5,894,508 to Kim, U.S. Pat. No. 5,809,118 to Carmello et al., U.S. Pat. No. 5,588,054 to

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Shin et al. However, none of any combinations nor the prior art made of record would provide any lead to suggest Applicant's independent claims 38, 45, and 49.

No new matter has been presented by the above amendments nor by the added new claims. In view of the above amendments and remarks, it is believed that all rejections to Applicant's claims 38-50 have been overcome, and that Applicant's claims 38-52 define patentable novelty and uniqueness over all the references of record. It is therefore respectfully requested that this divisional patent application be given favorable reconsideration. Should the Examiner have any questions with respect to any matter now of record, Applicant may be reached at (248) 737-0133 or ist_HL@yahoo.com.

Very Respectfully submitted,

By 
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